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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,892	09/24/2003	Jong Sool Park	11037-134-999	5979

24341 7590 10/29/2004

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EXAMINER

LE, DAVID D

ART UNIT	PAPER NUMBER
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3681

DATE MAILED: 10/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,892

Applicant(s)

PARK, JONG SOOL

Examiner

David D. Le

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 09/24/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This is the first Office action on the merits of Application No. 10/670,892, filed on 24 September 2003. Claims 1-8 are pending.

Documents

2. The following documents have been received and filed as part of the patent application:
 - Information Disclosure Statement, received on 09/24/03
 - Foreign Priority Document, received on 09/24/03

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. **Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claims 1-8:

The present claims appears to be inaccurate because they recite the claimed arrangements among claimed elements that do not correspond to the disclosed invention as described in the present specification. For example, claims 1 and 6 recite the limitation "wherein the first operational element is fixedly connected to the fourth operational element and always receives an input." Examiner unable to determine, according to the present specification, which is the first operational element and which is

the fourth operational element; so that, the first operational element is fixedly connected to the fourth operational element and always receives an input, as recited in the claims. Further more, the present claimed invention does not appear to be supported by the instant specification.

Claim 3:

The recitation of claim 3 appears to conflict with the recitation of claim 1. Claim 1 recites the limitation “wherein the second operational element is fixedly connected to the seventh operational element and always outputs an output torque.” Claim 3 further identifies the first and second planetary gear sets being single pinion planetary gear sets; the first, second, and third operational elements as being a sun gear, a carrier, and a ring gear of the first planetary gear set, respectively; and the fourth, fifth, and sixth operational elements as being a ring gear, a carrier, and a sun gear of the second planetary gear set, respectively, as shown in Fig. 1. Accordingly, the second operational element would be fixedly connected to the fourth operational element, not the seventh operational element as recited in claim 1, and always outputs an output torque.

Claim 4:

The recitation of claim 4 also appears to conflict with the recitation of claim 1. Claim 1 recites the limitation “wherein the second operational element is fixedly connected to the seventh operational element and always outputs an output torque.” Claim 4 further identifies the third planetary gear set being a double pinion planetary gear

set; and the seventh, eighth, and ninth operational elements as being a sun gear, a ring gear, and a carrier of the third planetary gear set, respectively. Accordingly, the recited second operational element must be fixedly connected to the sun gear of the third planetary gear set, which the present specification does not appear to support such arrangement.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-8, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by U. S. Patent. 6,736,750 to Lee et al.**

Claims 1-8:

Lee (i.e., Fig. 27; column 31, line 28 – column 32, line 21) discloses a multi-speed planetary transmission comprising:

- An engine (12);
- An input (17);
- An output (19);
- Three planetary gear sets (1326, 1336, 1346), each having a sun gear, a ring gear, and a carrier;

- A plurality of torque coupling elements (1350, 1352, 1354, 1356, 1358, 1360);
- Wherein one of said three planetary gear sets is a double pinion planetary gear set (1337);
- Wherein two of said three planetary gear sets are single pinion planetary gear sets (1326 and 1346);
- Wherein the carrier of the double pinion planetary gear set is always stationary;
and
- Wherein one of carriers of said two single planetary gear sets connects to the output.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Usoro et al. (U. S. Patent No. 6,743,146) teaches a multi-speed planetary transmission as shown in Fig. 6a.
- Raghavan et al. (U. S. Patent No. 6,669,595) teaches a planetary transmission as shown in Fig. 9a and 13a.
- Usoro et al. (U. S. Patent No. 6,669,597) teaches a transmission arrangement as shown in Figs 5a and 14a.
- Kao et al. (U. S. Patent No. 6,648,791) teaches a multi-speed transmission as shown in Figs. 7, 21, 27, 29, and 31.


- Sugiura et al. (U. S. Patent No. 6,517,463) teaches an automatic transmission having a lever diagram as shown in Fig. 6.
- Miyazaki et al. (U. S. Patent No. 6,802,795) teaches an automatic transmission as shown in Fig. 14.
- Japanese Patent No. JP02001032889A teaches a gear train for automatic transmission as shown in Fig. 1.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Le whose telephone number is 703-305-3690. The examiner can normally be reached on Mon-Fri (0700-1530).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A Marmor can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ddl


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